

CONSTITUTION

of the
**MASSACHUSETTS
STATE LABOR COUNCIL,
AFL-CIO**



As Amended

14th Annual Convention
October 1971

6 BEACON STREET
BOSTON, MASSACHUSETTS 02108

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PREAMBLE

Recognizing the fact that the very instinct of self preservation demands the closer union of all branches of organized labor in order that equality of right and privilege may be obtained for wage earners, we, the representatives of the labor unions of Massachusetts in convention assembled, do hereby unite our forces in labor's cause, and call upon wage earners throughout the Commonwealth to join with us in obtaining needed industrial, economic, political and social reforms, and to affirm the rights of all workers to organize themselves peacefully together. We believe in the basic rights of free people, and we oppose all anti-labor and anti-democratic efforts to shackle labor. A free and unshackled trade union movement is indispensable to a democratic society. We are dedicated to free collective bargaining and the protection of the rights of labor. We further believe in the local autonomy of trade unions and the closest possible unity by all labor groups in matters of general concern. All local groups should carry out economic, social, political and educational objectives in conformity with the policy of the Massachusetts State Labor Council, AFL-CIO.

Pursuant to the National AFL-CIO Constitution, this merged organization shall be based upon a constitutional recognition that both craft and industrial unions are appropriate, equal and necessary as methods of trade union organization, and we recognize the rights of each respective craft, trade and industrial union.

CONSTITUTION

of the

MASSACHUSETTS STATE LABOR COUNCIL AFL-CIO

ARTICLE I

Name and Affiliation

SECTION 1. This organization shall be known as the MASSACHUSETTS STATE LABOR COUNCIL, AFL-CIO, and shall be affiliated with the American Federation of Labor and Congress of Industrial Organizations in accordance with the laws of that organization.

ARTICLE II

Objects

The objects of this Council shall be :

1. To assist in furthering the appropriate objects and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO (provided such objects or policies are not inconsistent with the objects or policies of the AFL-CIO);
2. To serve as a means of exchanging information among affiliated bodies on matters of common interest;
3. To provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors;

4. To propose, support and promote legislation favorable to and to oppose legislation detrimental to the interests of workers and organized labor;

5. To aid and encourage a political education and action program among affiliated local unions;

6. To aid and encourage an educational program among the members of local unions; and further to encourage and promote labor education in the schools and colleges within the Commonwealth.

7. To conduct a public relations program with the general public by informing them of the objectives and policies of the Council.

8. To encourage the employment of union labor and to promote the purchase of union label products and to further the interest of local union emblems, shop cards and buttons.

9. To engage in such other activities as are consistent with the objects and principles set forth in the National and State Constitutions of the AFL-CIO, and the policies thereof.

ARTICLE III

Membership

This Council shall be composed exclusively of:

1. Locals of national and international unions affiliated with the AFL-CIO;

2. Local unions directly affiliated with the AFL-CIO;

3. Local central bodies of the AFL-CIO within the State of Massachusetts;

4. Such other subordinate bodies as the AFL-CIO Executive Council may determine are eligible for membership.

No organization shall be admitted or retained in membership that has been suspended or expelled by a parent body affiliated with the AFL-CIO or by the AFL-CIO.

No organization shall be admitted or retained which is officered, controlled or dominated by Communists, Fascists or other totalitarians, or whose policies and activities are consistently directed toward the achievement of the program or purpose of the Communist Party, or any Fascist organization, or other totalitarian movement.

An organization affiliated with the Massachusetts State Labor Council may be suspended or expelled upon conviction or written charges, after due notice and hearing, of having engaged in conduct or a course of activity hostile or contrary to the best interests of this Council or contrary to this Constitution.

ARTICLE IV

Conventions

SECTION 1. The Convention shall be the supreme governing body of the Council.

SECTION 2. The regular convention of the Council shall be held annually commencing on the first (1st) Tuesday of October and shall remain in session four (4) days until the business before the convention is completed; at a time and place designated by the Executive Council. In cases of extreme emergency, the

Executive Council, by a three-fourths ($\frac{3}{4}$) vote, may change the date of the Convention. The regular convention of the Council in a non-election of officers year shall remain in session for three (3) days until the business before the Convention is completed; at a time and place designated by the Executive Council which shall also have the power by a three-fourths ($\frac{3}{4}$) vote to change the date of the Convention.

The convention call, including the time and place of the convention, shall be sent to all affiliates not less than sixty (60) nor more than seventy-five (75) days prior to the convention.

SECTION 3. (a) Special conventions may be called by direction of a regular convention, by order of the Executive Council, or upon written request of affiliates representing a majority of the dues-paying membership.

(b) Notice of special conventions must be given to affiliates at least thirty (30) days in advance and must specify the subject or subjects to be considered by the convention. No subjects other than those specified may be considered by a special convention. Notice of special conventions must be given to affiliates not more than seventy-five (75) days prior to the convention.

(c) Representation at special conventions shall be on the same basis as at regular conventions, and the conventions shall be governed by the same rules and procedure as regular conventions.

SECTION 4. Local unions shall have their representation and votes in conventions based upon the average monthly membership on which per capita tax payments were made for the twelve

(12) month base period ending with the month prior to the issuance of the convention call. Where affiliation occurred during this twelve month base period the average membership shall be proportionately reduced and shall be deemed to be one-twelfth of the monthly average multiplied by the number of months affiliated in said base period. The schedule of representation shall be as follows:

- (a) Local unions, one delegate for the first 200 members or less, and one additional delegate for each additional 200 or major fraction thereof.
- (b) Local central bodies or other subordinate organizations, two delegates each.
- (c) Past Presidents of the Massachusetts Federation of Labor and Massachusetts Industrial Union Council and Massachusetts State Labor Council who are in good standing with their local union and whose local union is affiliated with the Council, shall be seated as delegates in addition to the representation as set forth in Section 4(a) above.*

* A Past President who is seated as a delegate under this provision shall have all the rights and privileges of other delegates except he shall not have a vote unless he is a regularly credentialed delegate representing an affiliated organization.

Except on roll call votes each delegate shall have one vote. On roll call votes each local union shall be entitled to as many votes as its average membership and delegates representing local central bodies and other subordinate organizations shall have one vote.

SECTION 5.

- (a) One delegate and one vote shall be allowed for any local union which affiliates between the end of the base period and the convention.
- (b) Suspended or withdrawn locals must pay per capita tax for at least three (3) months prior to the end of the Council's base period and must be in good standing at the date of the Convention to be eligible for representation at the Convention.
- (c) The basis of representation for the aforesaid locals shall be as described in Section 4, page 6.
- (d) Locals merging prior to the Convention shall be entitled to representation on the basis of average monthly membership on which per capita tax payments were made by the locals involved in the merger in the twelve (12) month base period.

SECTION 6. On a roll call vote the votes of each organization, as determined under Section 4, shall be divided among the *registered* delegates from that organization, as nearly equal as possible without fractional votes, and the local union shall record such allocation on the credential blank in the space provided.

Contested elections shall be conducted by written or printed ballots. Each ballot shall show the name, organization and number of votes of the delegate casting the ballot. Such ballots shall be preserved and available for examination by any delegate or officer of an affiliated or-

ganization for a period of not less than six (6) months.

SECTION 7. (a) Resolutions and proposed constitutional amendments shall be submitted to the Secretary-Treasurer no later than thirty (30) days prior to the opening date of the Convention. The resolutions and proposed constitutional amendments shall be submitted in writing, in triplicate and must bear the signature of an affiliated union in good standing or an accredited delegate to the Convention. All resolutions and amendments to the constitution must be referred to the proper convention committee before being submitted to the Convention.

SECTION 7. (b) Resolutions and proposed constitutional amendments received or submitted after the time stipulated above, shall be referred to the Convention with the understanding that consideration of such resolutions and proposed constitutional amendments is dependent upon three-quarters ($\frac{3}{4}$) consent of the Convention delegates.

SECTION 8. No affiliate which, at the opening date of the Convention, is in arrears to the Council for per capita tax for three (3) months or more, shall be entitled to recognition or representation in the Convention provided, however, any affiliate which becomes unable to pay per capita tax because of financial difficulty caused by strikes or other circumstances, shall, at least sixty (60) days immediately prior to the convention, report such circumstances to the Executive Council, which may, if it is convinced that the request is justified, notify the Secretary-Treasurer to waive such per capita tax in whole or in part.

SECTION 8. (a) Any affiliate which is in arrears to the Council for per capita tax for three (3) months or more shall, after due notice, be suspended by the Council and shall, except as provided in Section 8 above, be denied all privileges of recognition, representation, and membership in the Council.

SECTION 8. (b) Suspended or withdrawn affiliates desiring reinstatement, shall pay all dues arrearage owed at the time of their suspension or withdrawal and shall conform to Section 5 (d) of this Article. In cases of extenuating circumstances the Executive Council may make exceptions to this policy.

SECTION 9. No affiliate that has been suspended or expelled by the AFL-CIO, or by any national or international union affiliated with the AFL-CIO shall, while under such penalty, be allowed representation or recognition in the Convention.

SECTION 10. No person shall be eligible to serve as a delegate unless he is a member in good standing of a local union affiliated with the Council.

Each credential shall be accompanied by a \$7.00 (seven dollar) registration fee for each delegate made payable to Massachusetts State Labor Council, AFL-CIO.

SECTION 10. (a) To be eligible for appointment to convention committees, credentials must be returned to the Secretary-Treasurer at least fifteen (15) days prior to the opening of the convention.

SECTION 11. Each affiliate may designate al-

ternate delegates. The alternate delegate shall become the regular delegate in case the regular delegate is unable to serve, but only by registration with the Credentials Committee.

SECTION 12. A roll call vote may be had on a motion supported by twenty-five per cent (25%) of the delegates present at the Convention. On a roll-call, votes shall be cast in accordance with Section 6 of this Article. No delegate shall be entitled to cast more votes than certified on his credential. Delegates from organizations other than local unions shall be entitled to not more than one (1) vote each.

SECTION 13. Nominations for officers and Executive Council members shall be held at the opening of the Wednesday afternoon session and the election shall commence Friday morning at a time and place designated by the Election Committee. Commencing with the election in October 1965, Officers and Executive Council members will be elected for a two (2) year term and nominations and elections for Officers and Executive Council members will be held every two (2) years.

SECTION 13. (a) No delegate shall be nominated for more than one elective office at the annual convention.

SECTION 14. Twenty-five per cent (25%) of the delegates present at the Convention shall constitute a quorum.

SECTION 15. The President shall appoint, subject to the approval of the Executive Council, such committees as are necessary to conduct the affairs of the Convention. Such committees may meet before the opening date of the Convention

and shall report to the Convention. Convention Committees shall be: Credentials, Resolutions, Constitution, Rules, Officers' Report, Secretary-Treasurer's Report, Department Reports, Appeals and Grievances, Union Labels, Election, and Standing Committee's Report.

ARTICLE V

Officers and Executive Council

SECTION 1. The Executive Officers shall consist of a President, two Executive Vice Presidents, and a Secretary-Treasurer.

SECTION 2. The Executive Council shall consist of the Executive Officers and thirty-one (31) Vice Presidents, at least one of whom shall be a woman.

SECTION 2. (a) Of the thirty-one (31) Vice Presidents, fifteen (15) including one woman shall be nominated and elected at large; sixteen (16) shall be nominated and elected as resident candidates from the districts they are to represent. The eight (8) districts shall be arranged in the following order:

District (1) Suffolk County, entitled to two (2) Vice Presidents

District (2) Norfolk and Plymouth Counties, entitled to two (2) Vice Presidents

District (3) Essex County, entitled to two (2) Vice Presidents

District (4) Middlesex County, entitled to two (2) Vice Presidents

District (5) Worcester County, entitled to two (2) Vice Presidents

District (6) Berkshire and Franklin Counties, entitled to two (2) Vice Presidents

District (7) Hampden and Hampshire Counties, entitled to two (2) Vice Presidents

District (8) Bristol, Barnstable, and Dukes Counties, entitled to two (2) Vice Presidents

No more than one Vice President from each district shall be a member of the same International Union or directly affiliated organization. No more than three (3) Vice Presidents shall be members of the same International Union or directly affiliated organization.

SECTION 3. The election of the Executive Council, consisting of four (4) Executive Officers and thirty-one (31) Vice Presidents shall be by ballot in accordance with the procedures outlined in Article IV, Sections 6 and 12, and they shall be elected for a term of two (2) years. A plurality of the votes cast for each of the officers shall decide the election.

SECTION 4. Only delegates duly credited to the Convention shall be eligible for nomination and election to any office in this organization.

Each officer shall be required to be a member of a Local Union affiliated with the Massachusetts State Labor Council at all times during his term of office, and if an officer fails to meet this requirement the office he holds shall thereby become vacant and the vacancy shall be filled as provided for elsewhere in this Constitution.

ARTICLE VI

Duties of Officers

SECTION 1. *President.* The President shall preside at all Conventions and meetings of the Executive Council, and shall have authority to

interpret and enforce the constitution between meetings of the Executive Council, and his interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Council or a Convention. He shall appoint all committees of the Convention subject to the approval of the Executive Council. He shall, in conjunction with the Executive Officers, appoint all other committees subject to the approval of the Executive Council. He shall countersign all checks on funds of the Council and all other official documents such as leases, mortgages, etc. He shall be an ex-officio member of all committees. He shall act as Chairman of the Legislative Advisory Committee and Committee on Political Education.

SECTION 2. *Executive Vice Presidents.* The Executive Vice Presidents shall assist the President and Secretary-Treasurer in the performance of their duties in carrying out the decisions of the Convention and the policies of the Executive Council. The Executive Council may assign specific duties to the Executive Vice Presidents from time to time.

SECTION 3. *Secretary-Treasurer.* The Secretary-Treasurer shall serve on a full-time basis and in addition to the duties herein prescribed shall function as Office Manager. He shall issue the Call for and act as Secretary in all Conventions and Meetings of the Executive Council, shall cause to be kept a record of the proceedings of such Convention, and shall send same to all affiliated unions together with a copy of all changes in the Constitution made by the Convention. He shall receive and have custody of all monies, property, securities and other evi-

dences of investment, books, documents, files and effects of the Council, which shall at all times be subject to inspection by the members of the Executive Council. He shall pay all bills duly authorized and deposit all income and receipts in the bank designated by the Executive Council in the name of the Massachusetts State Labor Council, AFL-CIO. He shall pay no monies for any purpose outside the current expenses of the Council except by a majority vote of the Executive Council or by the special direction of the Convention. He shall sign, with the President, all checks and drafts on the funds of the Council. He shall be bonded for an amount not less than that required by the Rules of the AFL-CIO and shall submit a report to each Executive Council meeting and an annual financial report to the Convention. He shall function under the direction of the Executive Council.

ARTICLE VII

Duties of the Executive Council

SECTION 1. The Executive Council shall be the governing body of the Massachusetts State Labor Council, AFL-CIO, between Conventions. The Executive Council is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully and adequately the decisions and instructions of the Convention and to enforce the provisions contained in this Constitution. Between Conventions it shall have the power to direct the affairs of the Massachusetts State Labor Council, AFL-CIO and to take such actions and render such decisions as are necessary and ap-

propriate to safeguard and promote the best interests of the State Council and its affiliated unions.

SECTION 2. No officer or committee member of the Massachusetts State Labor Council, AFL-CIO shall permit the use of his title as an officer or committee member of this Council in connection with the endorsement of any candidate for public office, unless such candidate shall have received the endorsement of the Executive Council of the Massachusetts State Labor Council, AFL-CIO, or was endorsed by action of the last previous Convention, or by the Committee on Political Education Conference.

SECTION 3. The Executive Council shall meet monthly or more often if called by the President or by a majority of the members of the Council. Any member of the Executive Council who fails to attend three consecutive regular meetings of the Executive Council, unless excused for justifiable reasons, may be charged with neglect of duty and removed from office by majority vote of the Executive Council at its next regular or special meeting, provided the officer involved shall be given reasonable notice of the charge and of the proposed action to remove him and is afforded an opportunity to be heard at such meeting.

SECTION 4. (a) The Executive Council shall have the power to suspend or remove any officer or member of its Executive Council on written charges for violation of the Constitution of the AFL-CIO, or the Constitution of the Massachusetts State Labor Council, AFL-CIO, or for conduct unbecoming an officer of the Council, mis-

appropriation of funds, malfeasance in office or neglect of duty. No officer shall be tried except upon written charges of which he or she shall have a copy by registered mail at least fifteen (15) days prior to the date set for the hearing. The trial must be held no later than thirty (30) days after the filing of charges. After such hearing, it shall require a two-thirds ($\frac{2}{3}$) vote of the Council members present and voting to suspend or remove any officer. Such action is subject to appeal to the next Convention of the Council, but shall remain in full force and effect pending any appeal. Further appeal may be made to the higher tribunals of National AFL-CIO in accordance with the Rules Governing State Central Bodies.

(b) Any organization affiliated with this Council may be suspended or expelled, upon conviction on written charges and after notice and hearing as hereinafter provided, for having engaged in conduct or a course of activity hostile or contrary to the best interests of this Council or contrary to its constitution. Charges may be brought against an affiliated organization by another affiliated organization or by any officer of this Council whereupon the President shall appoint a trial board consisting of five (5) disinterested officers of the Council to hear the charges and report to the Executive Council its findings and recommendations after a hearing where written notice and the charges have been sent to the organization at least thirty (30) days prior to the hearing. The Executive Council by a majority vote of its members present shall accept, reject or modify the findings and recommendations of the Trial Board. Appeal

from the Executive Council's decision may be made to the next convention, but the Executive Council's action shall remain in full force and effect pending any appeal. Further appeal may be made to the National AFL-CIO in accordance with the Rules Governing State Central Bodies.

(c) Any delegate may be expelled or suspended from a convention upon conviction, on written charges and after notice and hearing for having engaged in conduct or a course of activity hostile or contrary to the best interests of the state central body or contrary to its constitution. Upon the filing of such charges in writing with the Credentials Committee by any delegate, officer or affiliated organization the delegate charged shall be given prompt notice of the exact charges and afforded an expeditious hearing by the Credentials Committee which shall then report its findings and recommendations immediately to the convention. The convention shall thereupon decide the disposition to be made of the charges. An appeal from the decision of the convention may be taken as provided in the Rules of the AFL-CIO Governing State Central Bodies.

SECTION 5. The Executive Officers shall with the consent of the Executive Council employ such legal counsel as may be necessary.

SECTION 6. The Executive Officers shall with the consent of the Executive Council select a Certified Public Accountant to audit the books and accounts of the Secretary-Treasurer annually. The fiscal year of the Massachusetts State Labor Council, AFL-CIO, shall run from July 1st to June 30th, inclusive.

SECTION 7. Between Conventions, the Executive Council shall fill all vacancies occurring in any office of the Executive Council.

SECTION 8. A majority of the thirty-five (35) Council members shall constitute a quorum at Executive Council meetings.

SECTION 9. The following Standing Committees shall be appointed annually by the President in consultation with the Executive Officers and with approval of the Executive Council and shall function under their direction. Unless otherwise noted, each committee shall have eleven (11) members. Members failing to attend two (2) consecutive meetings of their Committee shall be replaced. Each Standing Committee shall hold no less than four (4) meetings per year.

Education and Research	Civil Rights
Organization and Affiliation	Housing
Workmen's Compensation	Social Security
Community Services	Taxation

A Legislative Advisory Committee consisting of the members of the Executive Council, together with the Chairman of the aforementioned eight (8) Standing Committees.

A Committee on Political Education consisting of the members of the Executive Council together with at least fifteen (15) members-at-large appointed by the President in consultation with the Executive Officers and approved by the Executive Council.

SECTION 9. (a) To cooperate with and aid the Massachusetts Union Label Council, AFL-CIO; in encouraging the sale and use of union-made

goods and union services through the patronage of union labels and other symbols recognized by the AFL-CIO. A report of the Massachusetts Union Label Council, AFL-CIO on its activities shall be submitted to the Annual Convention together with its plans for promoting the sale and use of union label, union made goods and union services.

SECTION 10. The Executive Council shall have the authority to establish and set salaries for Directors and Officers of the Massachusetts State Labor Council, AFL-CIO.

ARTICLE VIII

Revenue

SECTION 1. Each local union affiliate shall pay a monthly per capita tax at the rate of nine cents (9¢) per month for each of their dues paying members; of this amount one cent (1¢) shall be earmarked for COPE activities; and one dollar (\$1.00) for each delegate registered at the annual convention of the Council shall be earmarked for union label activities by the Union Label Committee. Per capita tax paid by affiliated local unions to their respective international unions shall be the basis for payment of per capita tax to the Council. In the case of local unions directly affiliated with the AFL-CIO, they shall pay per capita tax for the same number of members on which they pay per capita tax to the AFL-CIO. The per capita payments shall not apply to inactive or superannuated members of affiliates.

In cases where the Executive Council has reason to believe that an affiliated local union

is not paying its full per capita tax on its dues-paying membership, the Executive Council shall have the authority to notify the international union or the AFL-CIO of such local union and may call upon the local union to submit such records as the Executive Council deems necessary in this matter.

SECTION 2. Local central bodies other than local unions shall pay a quarterly fee of six dollars and twenty-five cents (\$6.25).

SECTION 3. The funds of this Council shall be used only for legitimate expenditures in furtherance of the objectives of this Council or of the AFL-CIO.

ARTICLE IX

Departments

The Massachusetts State Labor Council, AFL-CIO, hereby establishes the following four (4) departments to service properly the needs of its affiliated organizations. Each of such departments shall be assigned a Director who shall devote full time to his duties:

Committee on Political Education
Education and Research
Legislative
Publications and Public Relations

The Director of each department shall be appointed by, his duties outlined by, his salary set by; and work under the direction of, the Executive Council and shall report at each Council meeting. Between Executive Council meetings, the Executive Officers shall see that the policies

and programs of the Executive Council are properly carried out by the departments.

A Department Director may be removed from his position by the Executive Council for conduct contrary to the best interests of the Massachusetts State Labor Council, AFL-CIO.

Directors of departments shall be subject to review for reconfirmation at the first meeting of the Executive Council following the Convention at which the executive officers and vice presidents of the council are elected.

The Executive Council shall, after consultation with the comparable departments of the National AFL-CIO, implement the functions and duties of the departments as set forth below.

COPE — The COPE Department shall be vested with the duty and responsibility in meeting the need for sound political education. It shall encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities. It shall operate in conformity with the policies of the National AFL-CIO and the National Committee on Political Education.

EDUCATION AND RESEARCH — The Education and Research Department shall promote the widest possible understanding among union members of the aims of the Massachusetts State Labor Council, AFL-CIO; shall assist affiliated unions in developing their own educational programs and shall have the responsibility of reviewing and appraising the research

activities of the Council to the end that adequate research facilities are available to the Council.

LEGISLATIVE — The Legislative Department shall undertake to carry out the policies and programs of the Massachusetts State Labor Council, AFL-CIO, consistent with the policies and programs of the AFL-CIO and shall co-ordinate the legislative activities between this Council and local councils in the State of Massachusetts.

PUBLICATIONS AND PUBLIC RELATIONS — The Publications and Public Relations Department shall review and appraise the needs of the Massachusetts State Labor Council, AFL-CIO, in keeping the general public informed of the goals and policies of the Council.

ARTICLE X

Amendments

This Constitution may be amended or altered at a regular session of the Convention, and shall require a two-thirds ($\frac{2}{3}$) vote of the delegates. Such amendments or alterations shall take effect upon approval of the National President of the AFL-CIO.

NOTES

OATH OF OBLIGATION

"I (name of officer-elect) do hereby solemnly and sincerely swear, that to the best of my ability, I will fulfill all the obligations and perform all the duties devolving upon me in the office to which I have been elected, and at all times will abide by and preserve the laws and uphold the integrity of the American Federation of Labor and Congress of Industrial Organizations, and the Massachusetts State Labor Council, and will always strive for the general interest, benefit and advancement of the members of these organizations.

"I do further affirm, that upon completion of my term in office, I will transfer to my successor all books and properties of the Massachusetts State Labor Council of which I have been custodian. To all this, I do now pledge my most sacred honor as an American trade unionist."

